

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 14, 1946

11:00 A.M.

Council Chamber, City Hall

The meeting was called to order, with Mayor Miller presiding.

Roll Call:

Present: Councilman Bartholomew, Mayor Miller, and Councilman Wolf.

Absent: Councilmen Alford and Gillis

Present also: Guiton Morgan, City Manager; J.E. Motheral, City Engineer; R.D. Thorp, Chief of Police; Mr. Trueman O'Quinn, City Attorney.

The minutes of the regular meeting of February 7, 1946 were dispensed with.

Mr. Emmett Shelton presented a discussion of the need of a bridge across the Colorado River, below the Austin Dam, to the City Council. He presented several petitions signed by property owners and other interested citizens requesting that the Council consider the building of this dam. The Mayor told Mr. Shelton that they would take the matter under advisement.

The Council received a memorandum from the Secretary of the Zoning Board in which she advised that the Zoning Board of Adjustment had recommended the zoning changes requested by Burton Miles of his property on Lamar Boulevard, known as the "Paggi" property; and the zoning change requested for "Fabricon" by Mrs. Diana Cole, secretary, the property being located at the southeast corner of Springdale Road and East 5th Street, from "A" Residence to "D" Industrial, but that the resolutions covering these recommended changes could not be written for this meeting.

Councilman Bartholomew moved that a public hearing on a change in zoning of this property recommended by the Board of Adjustment be set for March 7th. The motion carried by the following vote;

Ayes: Councilman Bartholomew, Mayor Miller, and Councilman Wolf.

Noes: None

Absent: Councilmen Alford and Gillis

Mayor Miller advised Chief Thorp to get in touch with anyone who had an application in for a taxicab operator's license and tell them that they would have to appear before the Council and show good reason for increasing the number of taxicabs now in operation. He instructed Chief Thorp to keep the taxicabs from parking on East 7th Street, in and around the Austin Hotel, as they had been doing for some time past.

Upon motion of Councilman Wolf a 90-day probationary period, as a taxicab driver, was granted Clyde Weber Crooks. His permit was revoked on February 7, 1946. It was agreed that he would report to the Chief of Police once a month during the probationary period.

The following taxicab operators' licenses, duly approved by the City Manager, were submitted:

BAILEY, Raymond Edward	604 West Annie
FLUITT, James Edwin	1205 West Mary
HOKENSON, Richard Leroy	309 West 17th St.
MARTIN, Raymond Luther	1010 Waterfront St.
MILLER, Claude Lee	1010 Lavaca
MORRISON, Robert Alfred	1010 Waterfront St.
MORRIS, Jr. Lyman Calvin	503 Walsh St.
MOSELEY, William Milton	1915 Willow St.
MCCOY, Thomas Nathan	1409 East 1st St.
NOBLE, John W.	1713½ East 6th St.
PONTON Joseph	5506 Post Road
REIDENBACH, David C.	1010 Lavaca St.
WALKER, Thomas Alexander	c/o B.G. Ray, Post Road

Councilman Wolf moved that the permits be granted. The motion prevailed by the following vote:

Ayes: Councilman Bartholomew, Mayor Miller, and Councilman Wolf.
 Noes: None
 Absent: Councilmen Alford and Gillis

The following Taxicab Operator's licenses, duly approved by the City Manager, were submitted:

FLUITT, James Lee	1205 West Mary
4-door, 1940 Ford Sedan, Motor No. 2662821, License FS 6396	

Councilman Bartholomew moved that the license be granted. The motion prevailed by the following vote:

Ayes: Councilman Bartholomew, Mayor Miller, and Councilman Wolf.
 Noes: None
 Absent: Councilmen Alford and Gillis

Councilman Wolf moved that the Council increase the number of taxicab operators from 177 to 178 to take care of an application promised James E. Fluit by the Tax Department last week. The motion prevailed by the following vote:

Ayes: Councilman Bartholomew, Mayor Miller, and Councilman Wolf.
 Noes: None
 Absent: Councilmen Alford and Gillis

The Mayor stated that he did not want any promises made to anyone about getting a taxicab operator's license, as the Council was the only one who could do that.

The following transfers of cancelled licenses, duly approved by the

THAT that portion of the alley in Block, 3, South Heights, lying between a point approximately 430 feet east of South 3rd Street, same being

where a fork of East Bouldin Creek crosses said alley, and South 1st Street, be, and the same is hereby permanently closed and vacated.

Which motion carrying with it the adoption of the resolution, prevailed by the following vote:

Ayes: Councilman Bartholomew, Mayor Miller, and Councilman Wolf.
Noes: None
Absent: Councilmen Alford and Gillis

Councilman Bartholomew offered the following resolution and moved its adoption.

(RESOLUTION)

WHEREAS, in Book 1, page 73 of this the Plat Records of Travis County, Texas, there appears a map or plat of a subdivision of land known as the Christian and Fellman Addition, a subdivision of a portion of Division D of the Government Outlots within the City of Austin, Travis County, Texas; and

WHEREAS, upon said map or plat there appears various streets and alleys, one of which alleys herein referred to is 16 feet in width and traverses Block 60 of said Christian and Fellman Subdivision, and being the alley one-half block east of and parallel to Sabine Street and extending from East 25th Street northerly across said Block 60; and

WHEREAS, the owner of all the property abutting said alley has requested the City Council of the City of Austin to close said alley; and

WHEREAS, said alley has never been opened to the public and has been under fence for approximately 45 years; and

WHEREAS, said request has been reviewed and considered by the City Council of the City of Austin; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT that certain alley 16 feet in width which traverses Block 60 as referred to above, be, and the same is hereby permanently closed and vacated.

Which motion carrying with it the adoption of the resolution, prevailed by the following vote:

Ayes: Councilman Bartholomew, Mayor Miller, and Councilman Wolf.
Noes: None
Absent: Councilmen Alford and Gillis

Councilman Wolf offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the Streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in MEADOWBROOK DRIVE across Windsor Road intersection, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said MEADOWBROOK DRIVE.

Said gas main described above shall have a cover of not less than 2 1/2 feet.

(2) A gas main in PECOS STREET, across Windsor Road intersection, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said PECOS STREET.

Said gas main described above shall have a cover of not less than 2 1/2 feet.

(3) A gas main in SCHULIE AVENUE across Windsor Road intersection, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said SCHULIE AVENUE.

Said gas main described above shall have a cover of not less than 2 1/2 feet.

(4) A gas main in PEOPLES STREET from a point 239 feet west of Poquito Street easterly 201 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said PEOPLES STREET.

Said gas main described above shall have a cover of not less than 2 1/2 feet.

(5) A gas main in EVANS AVENUE from East 54th Street northerly 123 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said Evans Avenue.

Said gas main described above shall have a cover of not less than 2 1/2 feet.

(6) A gas main in East 54th STREET, from Evans Avenue to Martin Avenue, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said EAST 54TH STREET.

Said gas main described above shall have a cover of not less than 2 1/2 feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company

requires definite information upon the ground as to elevations or working points from which to base location of their assignments they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of back-filling of the ditches.

THAT THE work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

Which motion carrying with it the adoption of the resolution, prevailed by the following vote:

AYES: Councilman Bartholomew, Mayor Miller, and Councilman Wolf.
Nays: None
Absent: Councilman Alford and Gillis

Councilman Bartholomew offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, F. W. Woolworth & Company is the Contractor for the alteration of a building located at 600-606 Congress Avenue and desires a portion of the sidewalk and street space abutting Lots 1 and 2, Block 70 of the Original City of Austin, Travis County, Texas, during the alteration of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT SPACE FOR the uses hereinabove enumerated be granted to said F. W. Woolworth & Company, the boundary of which is described as follows:

Sidewalk and Street Working Space

(a) Beginning at the northeast corner of the above described property; thence in an easterly direction and at right angles to the centerline of Congress Avenue approximately 4 feet to a point; thence in a southerly direction and parallel to the centerline of Congress Avenue approximately 23 feet to a point; thence in a westerly direction and at right angles to the centerline of Congress Avenue to the eastline of the above described property.

(b) Beginning at a point on the north curb line of West 6th Street and approximately 25 feet east of the west line of the above described property; thence

in a southerly direction and at right angles to the centerline of West 6th Street approximately 15 feet to a point; thence in an easterly direction and parallel to the centerline of West 6th Street approximately 50 feet to a point; thence in a northerly direction and at right angles to the centerline of West 6th Street to the north curb line of said street.

2. THAT the above privileges and allotment of space are granted to the said F. W. Woolworth and Company, hereinafter termed "Contractor", upon the following express terms and conditions:

1. (a) That the Contractor shall erect within the above described working space a solid fence built of not less than one-inch material and at least 8 feet in height (or extending from the sidewalk to the underside of the present awning) substantially braced and anchored and to maintain same in good condition at all times while the work is in progress. The Contractor will be permitted to put a door in the barricade that will either open in or slide parallel to the barricades, and at all times that material is being delivered or taken away from the building, a watchman shall be provided to warn pedestrians of approaching danger.

1. (b) That the Contractor shall construct a guard rail within the boundary line along the east, south and west lines of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored.

2. That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to be open out so as to impede vehicular or pedestrian traffic.

3. That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

4. That "No Parking" signs shall be placed on the street side of the barricades.

5. That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

6. That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

7. That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

8. That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

9. That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence or said side-walk or street has ceased, such

2. That all setback regulations required in this zone and all buildings code provisions be complied with in the erection of such buildings.

Which motion, carrying with it the adoption of the resolution, prevailed by the following vote:

Ayes: Councilman Bartholomew, Mayor Miller, and Councilman Wolf.

Noes: None

Absent: Councilmen Alford and Gillis

Councilman Bartholomew offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, delinquent taxes, on personal property, have been paid to the Tax Collector of the City of Austin by the following named parties for the years and in the amounts set opposite the name of each of them, viz:

<u>Name</u>	<u>Year</u>	<u>Amount Collected</u>
Wilbur D. Sunday	1938 thru 1942	\$ 35.02
J. S. Hancock	1939 thru 1942, and 1944	29.44
East Avenue Grocery	1940	12.06
Mrs. A.M. McMillan	1941 thru 1944	35.18
Dora Petmecky	1941 and 1942	6.57
Shoalmont Realty Co.	1941 thru 1944	27.60
H. L. McEntire	1943	.25
G. R. White	1943	.36
A. J. Hamilton	1944	1.57
Margaret Campbell	1938 thru 1941	11.54
Joe C. A. Eckhardt	1939 thru 1944	45.49
E. S. Garner	1942, 1943, 1944	4.04
Sidney Gustafson	1943 and 1944	12.35
Virginia Allen	1944	3.49
F. R. Moerke	1944	6.14
Wallace L. Smith	1942	5.87
H. W. Zuch	1943 and 1944	9.43
W. H. Pittsford, Jr.	1938 and 1939	10.46
Paul E. Pressler	1939, 1940, 1942, 1944	19.44
Roscoe Guernsey, Jr.	1941	1.28
Melvin Foster	1942	9.45
J. L. Brown	1930, 1931, and 1935	17.12
H. E. Stokes	1935 thru 1939 and 1944	20.66
Leonard H. Gallagher	1936 and 1942 thru 1944	16.02
Isarel Smith	1939, 1941, and 1943	14.71
W. B. Hendon	1940, 1941, and 1944	128.35
C. F. Petet	1940 thru 1944	13.59
Alejandro Rodriguez	1943	2.43
Frank Patton	1939 and 1943	3.40
Manuel Rios	1943	.48
Glen S. Miles	1944	3.29
George Spruell	1944	.96

WHEREAS, all of said payments constitute a final settlement of personal taxes due for the years indicated; Now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Tax Assessor and Collector of the City of Austin be, and he is hereby authorized to record full payment on all delinquent personal property taxes against said parties and their property for the years for which said tax was assessed.

Which motion carrying with it the adoption of the resolution, prevailed by the following vote:

Ayes: Councilman Bartholomew, Mayor Miller, and Councilman Wolf
Noes: None
Absent: Councilman Alford and Gillis

Councilman Wolf offered the following resolution and moved its adoption;

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager be, and he is hereby, authorized and directed to execute a contract agreement in behalf of the City of Austin with the Missouri-Kansas-Texas Lines substantially in accordance with the terms and provisions of said contract agreement, a copy of which is attached and made a part of this resolution for all purposes.

Which motion, carrying with it the adoption of the resolution, prevailed by the following vote:

Ayes: Councilmen Bartholomew, Mayor Miller, and Councilman Wolf;
Noes: None
Absent: Councilmen Alford and Gillis

There being no further business, upon motion seconded and carried, the meeting was recessed at 1:30 P.M.

Approved:

Tom Miller
Mayor

ATTEST:

Hallie M. Miller

City Clerk